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FOLLOWING REPEAT PRETORIA 3645 ACTION SECSTATE DATED JUNE 28, 1978.

QUOTE: S E C R E T PRETORIA 3645

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E.O. 11652: GDS
TAGS: MNUC, PARM, SF
SUBJECT: US-SA NUCLEAR TALKS

1. SUMMARY. THIS MESSAGE REPORTS ON THE FIRST TWO MEETINGS
BETWEEN US AND SOUTH AFRICAN OFFICIALS ON NUCLEAR ISSUES
IN PRETORIA, MONDAY, JUNE 26 AND TUESDAY, JUNE 27.
THE US SIDE CONSISTED OF AMBASSADOR GERARD SMITH, AMBASSADOR
WILLIAM EDMONDSON, CHARLES VAN DOREN (ACDA), ALLEN LOCKE
(PM), MICHAEL GUHIN (OES) AND ROBERT KELLEY (S/AS).

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BRAND FOURIE OF DFA, ROUX OF AEB AND AURET OF DFA COMPRISED THE
SOUTH AFRICA SIDE. AT THE END OF THE SECOND MEETING, THE TWO
SIDES AGREED TO DRAFT A JOINT MINUTE DESCRIBING AREAS OF
AGREEMENT FOR DISCUSSION ON WEDNESDAY, JUNE 28. FOURIE
SAID HE BELIEVED THERE WAS NOTHING IN THE U.S. PRESENTATION
THAT WOULD MAKE AN AGREEMENT IMPOSSIBLE; ROUX SAID HE
SAW A REAL CHANCE FOR AN AGREEMENT. END SUMMARY.

2. HIGHLIGHTS OF FIRST DAY. BRAND FOURIE WELCOMED U.S.
DELEGATION, SAYING SOUTH AFRICA WAS IN FAVOR OF NON-
PROLIFERATION AND LOOKED FORWARD TO THE TALKS. HE

SUGGESTED MOST USEFUL WAY TO PROCEED WAS FOR SMITH TO FIRST GIVE A "BIRDS EYE" VIEW OF THE SITUATION AS SEEN BY THE U.S. SMITH DELIVERED OPENING STATEMENT, MAKING FOLLOWING POINTS: (A) U.S. DELEGATION HAD NO BRIEF TO GO BEYOND NUCLEAR SUBJECTS; (B) U.S. DELEGATION VISIT DIRECTLY RESULTED FROM VANCE-BOTHA MEETING IN APRIL WHERE BOTHA SAID THAT NPT ACCESSION AND IMMEDIATE SAFEGUARDS AT VALINDABA WERE "POSSIBLE"; (C) THE ESSENTIAL OBJECTIVE WAS TO AVOID "LINKAGE" OF THE NUCLEAR ISSUE TO ANY BROADER POLITICAL QUESTION; (D) THE TALKS SHOULD BE MORE THAN MERE EXPLORATIONS BECAUSE THERE WAS NOW A UNIQUE OPPORTUNITY TO RESOLVE THE NUCLEAR ISSUE WHICH MAY NOT COME AGAIN, AND IT SHOULD BE CAPITALIZED ON NOW. SMITH STRESSED THAT ANY AGREEMENT REACHED WOULD BE A REFERENDUM.

3. IN DISCUSSION FOLLOWING SMITH STATEMENT, SMITH ADVISED FOURIE AND ROUX OF APPROVED U.S. POSITIONS, PROVIDED SOUTH AFRICA ADHERED TO THE NPT, INCLUDING A FORMAL PUBLIC STATEMENT OF INTENT, AND ACCEPTED IMMEDIATE, INTERIM SAFEGUARDS AT THE VALINDABA ENRICHMENT PLANT.

4. FOURIE AND ROUX MADE THE FOLLOWING POINTS DURING THE SECRET

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DISCUSSIONS:

A. THEY HAD ARGUED TO THEIR MINISTERS THAT THERE WERE REAL BENEFITS TO NPT MEMBERSHIP UNDER ARTICLE IV AND THUS THE U.S. POLICY THAT IT WOULD NOT EXPORT SENSITIVE EQUIPMENT TO A SOUTH AFRICAN NATIONAL ENRICHMENT PLANT WAS A DISAPPOINTMENT.

B. THE U.S. POSITION ON SUPPLY OF THE SAFARI REACTOR WAS MOST WELCOME BECAUSE A NUMBER OF RESEARCH REACTOR EXPERIMENTS HAD SUFFERED UNDER THE INTERMITTENT OPERATION CAUSED BY LACK OF FUEL. SOUTH AFRICA AGREED WITH THE US POSITION THAT IT WAS BAD TO HAVE SO MUCH HEU IN USE AROUND THE WORLD. SAFARI COULD PROBABLY NOW RUN ON 40 PERCENT ENRICHED FUEL IF AVAILABLE BUT IT WOULD TAKE SOME TIME TO DEVELOP FUEL ENRICHED TO A LOWER LEVEL THAT WOULD MEET SAFARI'S OPERATING REQUIREMENTS.

C. ON KOEBURG, SOUTH AFRICA WAS CONCERNED THAT IF IT NOW SIGNED THE NPT, SOME YEARS DOWN THE ROAD THE US MIGHT DECIDE NOT TO CONTINUE SUPPLY. SMITH POINTED OUT THAT THESE WERE ALWAYS UNKNOWN RISKS IN THE FUTURE, BUT OUR POSITION ON ANY PROPOSED UN NUCLEAR EMBARGO RESOLUTION AND A POSSIBLE PROCEDURE FOR "SIMULTANEOUS CLOSING" OF A US-SAG PACKAGE ARRANGEMENT SHOULD GO FAR TO RESOLVE CONCERNS.

D. ON VALINDABA SAFEGUARDS, PRIME MINISTER VORSTER WAS PERSONALLY CONCERNED THAT ALTHOUGH AN AGREED SAFEGUARDS REGIME MIGHT INITIALLY PROTECT PROPRIETARY INFORMATION, PRESSURES WOULD BUILD WHICH WOULD LEAD TO DEMANDS TO GET AT THE "HEART" OF THE PLANT, THUS REVEALING DESIGN SECRETS. THE US SIDE REVIEWED THE TECHNICAL PROPOSAL MADE DURING

THE FEBRUARY TECHNICAL EXCHANGE AND INDICATED THE BELIEF THAT MUTUALLY ACCEPTABLE SAFEGUARDS WERE POSSIBLE.

E. ROUX QUESTIONED WHETHER THE US HAD DONE ALL IT COULD TO RETURN SOUTH AFRICA TO THE IAEA BOARD. SMITH DETAILED US ACTIONS AT THE JUNE BOARD, INCLUDING PRE-VOTE LOBBYING, THE US STATEMENT (WHICH SMITH IN PART READ ALOUD), AND THE US CALL FOR A VOTE. SMITH SAID THERE WAS NO MORE THE US COULD REALISTICALLY DO IN THE FUTURE.

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F. ROUX COMPLAINED STRENOUSLY THAT SOUTH AFRICA'S REQUEST FOR REIMBURSEMENT FOR SAFARI SPENT FUEL RETURNED TO THE US HAD BEEN IGNORED. SMITH UNDERTOOK TO GET PROMPT ACTION.

5. THE FIRST SESSION CLOSED WITH BRAND FOURIE'S STATEMENT THAT HE AND ROUX WERE ENCOURAGED BY THE US POSITIONS AND, AFTER BRIEFING THEIR MINISTERS, WOULD PROVIDE THE US SIDE AT THE SECOND DAY'S MEETING WITH AN INITIAL SAG REACTION.

6. HIGHLIGHTS OF SECOND DAY SESSION:

FOURIE OPENED BY COMMENTING AS FOLLOWS ON THE US POSITIONS PRESENTED BY SMITH ON THE FIRST DAY:
SAFARI SUPPLY: HE AND ROUX WERE PESSIMISTIC THAT THE NEGOTIATIONS AND PROCEDURES REQUIRED FOR A PACKAGE ARRANGEMENT COULD BE CONCLUDED IN TIME FOR SOUTH AFRICA TO AVOID A SHUT-DOWN OF THE REACTOR FOR LACK OF HEU.

KOEBURG SUPPLY: THE US POSITION ON ACTION IN THE UN APPEARED TO RESOLVE THIS, BUT BOTHA WISHED TO DISCUSS "GUARANTEES" AT A LATER MEETING.

US EXPORT OF ENRICHMENT TECHNOLOGY: FOURIE AND ROUX REPEATED THEIR DISAPPOINTMENT THAT THE US VIEW OF ARTICLE IV (N.P.T.) PRECLUDED SOUTH AFRICA FROM GAINING ACCESS TO EQUIPMENT FOR ITS ENRICHMENT PLANT. ROUX SAID SAG HAD DECIDED TO EXPAND THE PRESENT PLANT RATHER THAN BUILD A NEW "LARGE-SCALE" ONE BECAUSE IT COULD NOT GET THE EQUIPMENT IT NEEDED.

VALINDABA SAFEGUARDS: SAG DESIRED FROM THE US PRACTICAL DETAILS ON HOW SAFEGUARDS COULD BE INSTALLED, BUT REALIZED THIS COULD NOT BE PURSUED IN THESE

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TALKS. ROUX WAS ENCOURAGED BY THE US VIEW THAT PRIMER SAFEGUARDS MIGHT BE SUFFICIENT.
RENEGOTIATION OF AGREEMENT FOR COOPERATION: FOURIE AND ROUX WERE INCLINED TO START RENEGOTIATION OF THE PRESENT AGREEMENT, IN PARALLEL WITH USING

TH PRESENT AGREEMENT FOR NEAR TERM EXPORTS IN ORDER TO GET THE MAXIMUM CONGRESSIONAL APPROVAL POSSIBLE. DISCUSSION WITH FRENCH: FOURIE SAID TRILATERAL TALKS MIGHT BE USEFUL AT SOME STAGE (HE SAID SAG HAD TALKED TO THE FRENCH AND INTENDED TO HAVE FUTURE DISCUSSIONS WITH THEM). IAEA: FOURIE SAID HE WAS DISAPPOINTED AT THE US ASSESSMENT THAT IT WAS NOT REALISTIC TO EXPECT SAG COULD RETURN TO THE BOARD, BUT ACCEPTED THIS "AS A FACT". NPT: FOURIE CONCLUDED BY STATING THAT THERE WAS NOTHING IN THE US PROPOSALS THAT "WOULD MAKE IT IMPOSSIBLE FOR SOUTH AFRICA TO JOIN TH NPT."

7. IN RESPONSE, SMITH SAID FOURIE WAS PERHAPS TOO PESSIMISTIC ON SAFARI SUPPLY. IT WAS UP TO SOUTH AFRICA HOW FAST A PACKAGE COULD BE COMPLETED. FORMAL PUBLIC DECLARATION OF INTNT TO ACCEPT THE U.S. PROPOSAL SHOULD ALLOW HEU TO GO FORWARD. SMITH HANDED OVER A NON-PAPER LISTING THE CONDITIONS THAT THE US WOULD REQUIR. FOURIE REPLIED THAT ANY SUCH SAG DECLARATION OF INTNT WOULD BE CONDITIONAL ON THE US MAKING GOOD ON ITS SUPPLY COMMITMNTS.

8. THE US SIDE (VAN DOREN) READ TO FOURIE (BUT DID NOT HAND OVER) A PAPR DESCRIBING HOW A SIMULTANEOUS CLOSING COULD BE ACHIEVED. FOURIE SAID THAT CONGRESS COULD LATER BAN NUCLEAR TRADE WITH THE SAG. THIS WOULD END SAG'S OBLIGATIONS TO THE US. THE US SIDE POINTED OUT THAT SUCH A LAW WOULD BE SUBJECT TO PRESIDENTIAL VETO, WHICH COULD ONLY BE OVERTURNED BY A 2/3 VOTE OF SECRET

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BOTH HOUSES. FOURIE RECOGNIZED THAT A CONGRESSIONAL BAN COULD NOT BE GUARANTEED AGAINST, BUT NOTED THAT IF IT DID OCCUR THE SAG WOULD NOT ONLY TERMINATE ITS BILATERAL NUCLEAR OBLIGATIONS WITH THE US BUT COULD ALSO WITHDRAW FROM THE NPT.

9. SMITH REITERATED THE US POSITION THAT THE SAG COULD NOT EXPECT ARTICLE IV OF THE NPT TO ALLOW SOUTH AFRICA ACCESS TO SENSITIVE ENRICHMENT EQUIPMENT. IN RESPONSE TO A QUESTION SMITH HANDED OVER A NON-PAPER (SEPTEL) SHOWING THE US NONPROLIFERATION LAW DID NOT PRECLUDE NUCLEAR COOPERATION IF A COUNTRY BUILT AN ENRICHMENT PLANT. FOURIE COMMENTED THAT HE AND ROUX MAY HAVE "MADE A TACTICAL MISTAKE" IN SAYING TO THEIR MINISTERS THAT ARTICLE IV WOULD BRING SAG TANGIBLE BENEFITS, BUT HE WOULD SEE IF HE COULD REPAIR THE DAMAGE.

10. FOURIE SAID THAT HE WOULD HAVE TO OBTAIN HIS GOVERNMENT'S AUTHORITY TO ACCEPT THE PACKAGE

PROPOSED BY THE US, BUT THAT IN HIS VIEW TH TWO SIDES
OUGHT TO TAKE UP TH QUESTION OF A SCHEDUL FOR
REACHING AGREEMENT. HE SAID THAT THE FOLLOWING TOPICS
COULD BE LISTED AS AGREED IN PRINCIPLE IN A JOINT
MINUTE OR "HEADS OF AGREEMENT", WHICH SMITH PROPOSED:
SAFARI AND KOEBURG SUPPLY, REPORCESSING OF SAFARI
SPENT FUEL, SAG POSITION IN THE IAEA, AND VALINDABA
SAFEGUARDS. FOURIE SAID HE WOULD HAVE TO GO TO HIS
MINISTERS ON THE ARTICLE IV ISSUE. ROUX ADDED THAT HE
AND FOURIE SAW A REAL CHANCE FOR AN AGREEMENT BUT THAT
THEY WOULD HAVE TO WRITE A MEMORANDUM TO THEIR MINISTERS,
ANSWERING THEIR QUESTIONS AND SEEKING THEIR REACTIONS
TO THE US PROPOSALS. FOURIE SAID HE HE THOUGH THE SAG
COULD GIVE THE US A PAPER IN "ABOUT A MONTH" WITH
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ITS POSITION. HE SAW TWO POSITIVE ITEMS IN THE US PRE-
SENTATION (1) THE "SIMULTANEOUS CLOSING" PROCEDURE AND
(2) THE POSSIBILITY OF SUPPLY OF HEU IN TIME TO AVOID
A SHUTDOWN OF SAFARI AND ONE NEGATIVE (THE US POSITION
ON ARTICLE IV OF THE NPT).

11. IN RESPONSE, SMITH EMPHASIZED THAT SAG SHOULD NOT
DELAY MUCH FURTHER AND EXPECT THE POSSIBILITY OF A FINAL
RESOLUTION TO REMAIN. FOURIE INDICATED THAT HE WOULD
HAVE TO HAVE SOME TIME TO GET HIS GOVERNMENT'S POSITION
IN LINE BUT AGREED TO SMITH'S PROPOSAL THAT EACH SIDE
DRAFT A JOINT MINUTE FOR DISCUSSION ON THE THIRD DAY.
EDMONDSON UNQUOTE VANCE

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